

**REMARKS**

This responds to the Office Action mailed on December 27, 2008.

Claim 33 is amended, no claims are canceled, and no claims are added; as a result, claims 1-38 are now pending in this application.

**§112 Rejection of the Claims**

Claims 33-38 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness.

Claim 33 has been amended to address the rejection. As such, Applicants respectfully submit that the amended claim 33 and its dependent claims 34-38 are definite and particularly point out and distinctly claim the applicants' intended subject matter. Thus, it is requested the claim rejections under 35 U.S.C. § 112 be reconsidered, in light of the amendment, and withdrawn.

**Allowable Subject Matter**

Claims 1-32 were allowed. Applicants would like to thank the Examiner for the allowance of claims 1-32.

Serial Number: 10/823,977

Filing Date: April 13, 2004

Title: METHOD AND SYSTEM FOR BACKSCATTER MODULATE A RADIO-FREQUENCY SIGNAL FROM AN RFID TAG IN ACCORDANCE WITH BOTH AN OSCILLATION FREQUENCY SIGNAL AND A COMMAND SIGNAL

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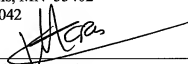
**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney 408-278-4042 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 01/30/08By   
Andre L. Marais  
Reg. No. 48,095

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30 day of January 2008.

Dawn R. Shaw

Name

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Signature